

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Douglas E. Arpert, USMJ
v. : Mag. No. 20-6010
JOSE RIOS :

ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Martha K. Nye, Assistant U.S. Attorney, appearing), and defendant Jose Rios (David Schafer, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter through May 6, 2023; the defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his initial appearance pursuant to Title 18, United States Code, Section 3161(b); the defendant having consented to a ninth continuance; and defendant having waived his right to a speedy trial, and for good cause shown:

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) The defendant and his counsel have expressed a desire to review informal discovery materials provided by the United States;
- (2) Plea negotiations are anticipated, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;

(3) The granting of a continuance will likely conserve judicial resources;
and

(4) Pursuant to Title 18, United States Code, Sections 3161(h)(1)(A) and 3161(h)(7)(A), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 9th day of March, 2023,

ORDERED that this action be, and hereby is, continued through May 6, 2023, and it is further

ORDERED that the period from the date of this Order through May 6, 2023, shall be excludable in computing time under the Speedy Trial Act of 1974.

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.


HON. DOUGLAS E. ARPERT
United States Magistrate Judge

Reviewed and agreed to by:

s/ Martha K. Nye
Martha K. Nye
Assistant U.S. Attorney


David Schafer, Esq.
Counsel for Defendant Jose Rios